IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Chapter VIII, Rule 32(2) (b)
Description of case

Writ Petition No. 37 of 2004 (M/B)

Date of decision: 25th August, 2004

For the approval of:

Hon'ble Chief Justice V.S. Sirpurkar, C.J.

Hon'ble Mr. Justice Irshad Hussain, J..

- Whether the order/judgment should be sent to the reporters for reporting? ( )

- Whether the reporter be allowed to see the judgment? (Yes)

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IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 37 of 2004 (M/B)

Committee of Management,
Dargarh Peeran-e-Kaliar Shareef,
Wakf No. 373 (A) (B), Roorkee
and 38 Saharanpur, Distt. Haridwar
Through its member Mr. Wajid Ali Khan
S/o Shri Wahid KhaR/o Khalanpur,
Muzaffarnagar. …… Petitioner

Versus

The State of Uttaranchal
and others …….. Respondents

……..

Sri S. G. Hussnain, learned counsel for the petitioner.
Sri A.Rab, learned Special Counsel for the State .

Coram: Hon. V.S.Sirpurkar, C.J.
Hon. Irshan Hussain, J.
Dated: August 25, 2004

PC:

1. Heard Mr. S. G. Hussanain, learned counsel for the petitioner and Mr. A. Rab, learned Special Counsel for the State of Uttaranchal.

2. In view of the statement made by Mr. A. Rab, Standing Counsel for the Uttaranchal wakf Board, that the further action will be taken in the light of the Wakf Act, 1995 regarding the Peeran-e-Kaliyar Shareef Wakf nos. 373 (A) (B), Roorkee and 38 Saharanpur, District Haridwar, there will be no necessity for us to proceed with this petition since the petitioner himself claims the relief only till the constitution of the Wakf Board. Learned Standing Counsel points out that the said Wakf Board has not only been constituted, but is functioning also. In the view, if the Wakf Board wants to take any action under Act, it shall follow necessary formalities by issuing notices, etc. to the individuals, who are interested in the Wakf above named by us. On this, writ petition is allowed to be withdrawn.

3. The petition is accordingly disposed of as withdrawn.

4. Meanwhile, status quo shall be maintained.

(Irshad Hussain, J.) **(V.S.Sirpurkar, C.J.)**
25.8.2004 **25.8.2004**

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